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Gas Leaf Blower Ordinance passes first reading at Lafayette council meeting

By Lou Fancher

Planning Technician Anna Tolle at the Sept. 26 city council meeting was joined during a presentation about the prohibition of gasoline powered leaf blower by two members of the city's Environmental Task Force (ETF). Along with Maria Gastelumendi and chairperson Nancy Hu, Tolle introduced Ordinance 688, which would eliminate the use of the blowers within city limits effective July 1, 2024.

"The three main hazards of gas powered leaf blowers are noise, dust, and exhaust emissions," Tolle said. "They pose health risks to both operators and bystanders and disrupt daily life for Lafayette residents."

City law under the noise ordinance in the municipal code currently prohibits use of leaf blowers between 10 p.m. and 7 a.m., but Tolle noted that city staff, the ETF, and council members have received many requests from residents to further limit or prohibit the use of gas leaf blowers. In 2021, the state of California adopted AB 1346, which prohibits the sale of new small off-road engines (SOREs), including lawn equipment and certain commercial and industrial vehicles. Tolle said the task force reviewed similar ordinances in other cities, conducted field research in Piedmont for a demonstration of electric leaf blowers, and during the last two years has worked with nearby city departments to prepare the report for the council.

More than 40 cities in the state have adopted gas leaf blower prohibition ordinances. The goal of California's AB 1346, which goes into effect in January 2024, is to move the state to zero-emission equipment by 2035. Adoption by the city would bring Lafayette into compliance with the state's goal and be an early step toward achieving zero-emission standards.

The task force report included fact-based information about the impacts of gas powered leaf blowers and similar equipment. As stated in the report: "The California Air Resources Board (CARB) has reported that operating a gasoline powered two-stroke leaf blower for one hour emits the same amount of pollution as driving a 2016 Toyota Camry for 1,110 miles. A landscape professional operating a gas powered leaf blower may be exposed to noise levels exceeding OSHA standards."

Tolle said the task force and city staff would work together to create public education information and outreach related to rebates and other resources for homeowners and landscapers transitioning from gas to zero-emission equipment. The new ordinance would be enforced in ways similar to other code enforcement policies. The noise disturbance system is currently primarily complaint based, with residents reporting violations by phone, email, or anonymously online and the code enforcement officer conducting a site visit to verify the complaint before issuing a code violation order. She said staff expects the complaint numbers to rise after the ordinance goes into effect.

The new ordinance will also have a significant financial impact on small, commercial landscape maintenance businesses, Tolle noted. "Use of gasoline powered leaf blowers is exempt from this section [of the ordinance] as follows: (a) When utilized by or at the direction of emergency responders for the purposes of responding to an emergency, or necessary to restore, preserve, protect, or save lives or property from imminent danger of loss or harm; or (b) When used to clear downed trees or vegetation in areas needing expedient clearance when necessary to protect public safety, as authorized by the City." Gastelumendi said the task force's work will next be to make sure the community is aware of the new ordinance.

Council Member Susan Candell asked for information about the landscape maintenance equipment currently used by the city's parks and recreation departments. Tolle said three battery powered leaf blowers are used and are identical to equipment available through a free lending program that allows residents to check out and test a hand-held or backpack blower for two weeks. The Public Works Department has six gas powered leaf blowers in their inventory, but are phasing them out. They also have three battery powered blowers.

Hu said a webpage (lovelafayette.org/leaf-blower-lending) explaining the benefits of the commercial backpack leaf blowers and other equipment has been developed. She tested the backpack model herself and said it was fairly heavy, about 30 pounds, but it was extremely powerful. "What was nice about using the electric, even though it was 30 pounds," she said, "it was not vibrating and was completely silent." Alternatively, she compared gas blowers to being on a Disneyland amusement park ride that sets a person's entire body "rattling."

Public comments from Bill Bucher asked that the council not adopt the ordinance due to the state implementing a law prohibiting the equipment. His vision is that manufactures of the equipment will make improvements and offer cost reductions that allow more people to purchase the new, zero-emission leaf blowers. Other residents commenting online expressed mixed positions. Some spoke in protest, highlighting the negative impact the ordinance would have on small landscape maintenance companies, or disputing the facts and emphasis of data about emissions and the environmental impact.

Other people supported the ordinance's passage, offering additional information about the environmental cost of gas powered leaf blowers and the life-cycles of leaf blower batteries, emphasizing that the state law restricts only the sale of new equipment and therefore would mean gas powered blowers already owned will continue to be used until they are no longer operable, and encouraging the council to therefore adopt the faster-acting city ordinance as soon as possible. Several people said they had concerns about neighbors reporting on other neighbors and the effect that would have on community sentiment.

When asked by Council Member Wei-Tai Kwok about the rebate programs, Tolle said funds previously available to property owners and commercial landscapers were exhausted after overwhelming demand depleted the programs.

Mayor Carl Anduri expressed concerns about the impact to staff hours because the ordinance places

increased demands associated with code enforcement, as well as neighbors informing on each other. Hu said an energetic outreach effort must accompany any ordinance adopted. The council unanimously accepted the ordinance as presented and amended and continued the matter to the Oct. 10 council meeting, which occurred after press time, for a second reading and adoption.

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